

United States District Court

SOUTHERN

DISTRICT OF

TEXAS

McALLEN DIVISION

UNITED STATES OF AMERICA

United States District Court
Southern District of Texas
FILED

CRIMINAL COMPLAINT

V.

Eduardo De La Fuente-Tejeda

PRINCIPAL

A202 085 763

YOB:

1991

MAY 30 2015

Case Number:

M-15-863 -M

United Mexican States

Clerk of Court

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about 5/28/2015 in Hidalgo County, in the Southern District of Texas defendants(s) did,
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Maria Gabriela Susano-Herrera and Margaro Miguel Ruiz-Ramos, both citizens and nationals of the United Mexican States, along with four (4) other undocumented aliens, for a total of six (6), who had entered the United States in violation of law, did knowingly and intentionally conspire and agree together with other persons known and unknown to transport, or move or attempt to transport said aliens in furtherance of such violation of law within the United States, that is, from a location near Mcallen, Texas to the point of arrest near San Manuel, Texas,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(v)(I) FELONY

I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

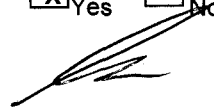
On May 28, 2015, at approximately 8:30 p.m., Weslaco Border Patrol Operation Shortstop Agent conducted a vehicle stop that resulted in a 1 on 6 alien smuggling case in San Manuel, Texas.

On May 28, 2015, at approximately 8:30 p.m., BPA Hector Ventura was working vehicle traffic observation duties on North U.S. Highway 281 in San Manuel, Texas. It was at this time the agent observed a white Ford Expedition. When the Ford Expedition passed the agents location, the agent observed that the vehicle appeared to be riding low. BPA Ventura attempted to further observe the vehicle at a closer distance. BPA Ventura approached the suspect vehicle and noticed a driver and passenger, and what appeared to be bodies lying inside the rear cab of the vehicle. BPA Ventura also noticed that the vehicles rear head rests were not visible, indicating that the rear seats

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No


Signature of Complainant

Sworn to before me and subscribed in my presence,

May 30, 2015

Date

Andrew Johnson Senior Patrol Agent

Printed Name of Complainant

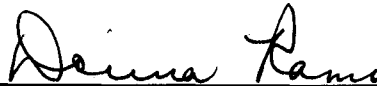
at McAllen, Texas

City and State

Dorina Ramos

, U. S. Magistrate Judge

Name and Title of Judicial Officer


Signature of Judicial Officer

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

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CONTINUATION:

were either removed or down. After a closer look, and confirming through night vision goggles, BPA Ventura immediately noticed a head against the rear window, and several bodies lying across on the folded down rear seats of the vehicle. BPA Ventura then conducted a vehicle stop by activating the vehicle emergency equipment.

The vehicle came to a stop and the driver exited the vehicle. He started walking towards BPA Ventura. BPA Ventura ordered the subject to get back in his vehicle, shut it off, and hand him the vehicle keys. The other subjects that were visible stayed in place and did not make any kind of movement. Agent Ventura initiated verbal contact with the subjects in the vehicle, and immediately noticed that there were a total of seven individuals inside the vehicle; the driver, later identified as Eduardo De La Fuente-Tejada, wearing a red t-shirt and ball cap, a young male passenger in the front seat wearing a black t-shirt, and five individuals laying down on the rear seats.

All the subjects were questioned as to their immigration status. All the subjects admitted that they were illegally present in the United States without documents to be in or remain in the United States. All the subjects were placed under arrest and transported to the Weslaco Border Patrol Station.

PRINCIPAL STATEMENT

Eduardo De La Fuente-Tejada was read his Miranda Rights. De La Fuente understood his rights and gave a statement without an attorney present.

De La Fuente admitted to being the driver of the Ford Expedition. He stated that a man showed up at his apartment complex looking for his neighbor, who wasn't home. The man offered to pay De La Fuente \$600 USD to transport a vehicle, occupied with illegal immigrants, to Encino, Texas. De La Fuente claims, later, a different subject arrived at his home driving a white in color Expedition. De La Fuente was told that the undocumented aliens were already in the vehicle. He claims he got into the driver's seat of the Ford Expedition and was instructed to follow a white Nissan SUV. After about forty (40) minutes of driving, he passed a law enforcement vehicle and was stopped by Border Patrol.

MATERIAL WITNESS 1

Maria Gabriela Susano-Herrera, was read her Miranda Rights. Susano understood her rights and gave a statement without an attorney present.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
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CONTINUATION:

Susano stated that her husband had made the smuggling arrangements. She claims she illegally entered the United States through Miguel Aleman, Tamaulipas by walking under the United States Bridge. After entering the United States she waited in a house. After three days, a white sport utility vehicle arrived. Susano claims she was told to get in it and lay in the rear of the vehicle. Susano remembers feeling the vehicle stop several times. On the last stop, she observed the driver exit the vehicle and another subject wearing a cap and a red t-shirt get into the driver's seat of the vehicle. They then drove for approximately 30 minutes before being stopped by Border Patrol. Before being stopped by Border Patrol, Susano claims the driver told them he would let them know when to get off the vehicle. When they were stopped, the driver told everyone in the vehicle to stay put and not move from place.

Susano identified De La Fuente in a photo lineup as the driver of the vehicle.

MATERIAL WITNESS 2

Margaro Miguel Ruiz-Ramos was read his Miranda Rights. Ruiz understood his rights and agreed to make a statement without an attorney present.

Ruiz stated that he and his wife, Susano-Herrera, Maria Gabriela (Material Witness 1), left their hometown of Tulcingo, Puebla, Mexico via bus towards Reynosa, Tamaulipas, Mexico. Upon arriving in Reynosa, Tamaulipas, he made arrangements with an unknown smuggler to cross into the United States illegally. Ruiz paid 3,000.00 Mexican Pesos for him and his wife to cross the Rio Grande River into the United States. Ruiz claims his family planned to pay 7,000.00 USD once Ruiz and his wife made it to Houston, Texas. Ruiz stated that after crossing illegally into the United States, they were taken to a home in McAllen, Texas. After about three days, He and his wife got picked up by a light colored covered truck. Ruiz was told he was going north to get dropped off. When Ruiz boarded the vehicle he saw four people lying down in the rear and two men sitting in the front of the SUV. Ruiz laid down on the rear seat behind the driver. He traveled for approximately thirty minutes until stopping along the road. At this point, another subject boarded the vehicle. Shortly after, the vehicle stopped to switch drivers. The new driver told them to stay laying down and said he would give the word. Ruiz would then have to run into the brush.

Ruiz identified De La Fuente in a photo lineup as the driver of the vehicle.